

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2007-56
February 9, 2007

SUBJECT: Delegation of Authority - Retail Electric
Competition and Consumer Protection Act of 1999


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and (11) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code §§ 1-204.22(6) and (11) (2001), and by section 115 of the Retail Electric Competition and Consumer Protection Act of 1999 ("Act"), effective May 9, 2000, D.C. Law 13-107; D.C. Official Code § 34-1515, as amended by § 2082 of the Municipal Aggregation Fund Congressional Review Emergency Amendment Act of 2007, effective January 16, 2007, D.C. Act 17-1, it is hereby **ORDERED** that:

1. The Director of the District Department of the Environment is delegated the authority vested in the Mayor to take any and all actions authorized by section 115 (a) of the Act (D.C. Official Code § 34-1515 (a)), as amended, including:
 - a. The authority to, in conjunction with the Public Service Commission of the District of Columbia, issue regulations governing a municipal aggregation program implemented under section 115 of the Act; and
 - b. The authority to administer the Municipal Aggregation Fund established by § 2082 of the Municipal Aggregation Fund Congressional Review Emergency Amendment Act, D.C. Act 17-1, and any substantially similar successor law.
2. The authority delegated herein to the Director may be further delegated to subordinates under the jurisdiction of the Director.

3. **EFFECTIVE DATE:** This Order shall be effective immediately and shall supersede all prior Orders to the extent of any inconsistency.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General

Legal Counsel Division



MEMORANDUM

TO: Kendolyn Hodges
Acting General Counsel
District Department of the Environment

FROM: Wayne C. Witkowski
Deputy Attorney General
Legal Counsel Division

DATE: February 1, 2007

SUBJECT: Legal Sufficiency Review of Draft Mayor's Order to Delegate the Mayor's
Authority Pursuant to Section 115(a) of the Retail Electric and Consumer
Protection Act of 1999
(AM-06-628C) (MID 187619) (Doc 162057)

This responds to your Office's email of January 30, by which you request that this Office review the above-referenced Mayor's Order (Order) for legal sufficiency.

The Order would delegate to the Director of the District Department of the Environment the Mayor's authority to take any and all action authorized by section 115(a) of the Retail Electric Competition and Consumer Protection Act of 1999 ("Act"), effective May 9, 2000, D.C. Law 13-107; D.C. Official Code § 34-1515(a) (2001), including the authority to, in conjunction with the Public Service Commission of the District of Columbia, issue regulations governing a municipal aggregation program, and the authority to administer the Municipal Aggregation Fund.

I find the Order to be legally sufficient. The Order has been submitted to the Office of Documents and Administrative Issuances (ODAI) for approval as to the proper format to fit on Mayor's Order stationery and I expect that it will be approved. I will forward to you by e-mail that approval or any revised Order approved by ODAI.

Should you have questions regarding this memorandum, please contact either Arthur J. Parker, Assistant Attorney General, Legal Counsel Division, at 724-5565, or me at 724-5524.

WCW/ajp

Attachment